

REMARKS

Claim 9, as amended, remains herein. Claims 8 and 10-13 also remain herein, but are withdrawn from consideration.

1. The Office Action objects to the oath or declaration. However, the Declaration and Power of Attorney filed October 7, 2003 fully complies with 37 C.F.R §1.63. In particular, the Declaration and Power of Attorney states “I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).” Accordingly, applicants’ request reconsideration and withdrawal of this objection.

2. The rejection of claim 9 under 35 U.S.C. § 112 is moot in view of the amendments.

3. Claim 9 was rejected under 35 U.S.C. § 103(a) over Matsuda Japanese Patent Publication 60-143812 in view of Corner Great Britain Patent 373,661. Matsuda discloses techniques to separate and collect oil within a compressor to prevent discharge of the oil to a condenser. Corner, published in 1932, discloses techniques for removing liquid and solid particles from steam and other gases. Matsuda fails to disclose a hollow collector that is coupled to the leading end of the fine pipe, the fine pipe inclined at 90° or less with the direction of refrigerant flow within the discharge pipe, as claimed.

Applicants’ have disclosed a compressor in which a refrigerant, possibly including foreign matter, is led to a collector 4 through a fine pipe. The collector 4 separates foreign matter from the refrigerant before being discharged through discharge pipe 14. When the compressor is started, refrigerant flows into the collector 4. As the pressure in the collector 4

builds, the rate of flow through the fine pipe into the collector 4 slows. Typically, more foreign matter is present in the refrigerant at the beginning of a compressor cycle. Thus, the increased initial rate of flow more effectively removes foreign matter at the beginning of the cycle, when the level of foreign matter is typically greatest.

The Office Action asserts that Matsuda discloses a collector (Fig. 1, 10-10B). However, merely discloses a passage wherein compressor gas and oil are separated. A horizontal passage 10B carries a mixture of oil and gas into a chamber. The mixture hits a wall surface 12 where the gas is discharged from an outlet 9 and oil and foreign matter are collected at the bottom of container 6. However, foreign matter entering the passage 10B is not separated from the oil mixture and is not collected.

Corner fails to provide what is missing. Corner describes a pass wherein steam is passed through a series of coils. A drain 4 is provided at the bottom of each coil and the drains 4 are connected to a common main 5 having outlets 6 connected with a trap (not shown). In this manner, Corner uses centrifugal force to separate solid particles from steam.

The Office Action relies on Corner to argue that the use of a collector on the discharge pipe of a compressor is conventional. However, a 1932 patent does not establish or suggest what one of ordinary skill in the art would have known at the time of applicants' invention. Further, there is nothing to suggest that one of ordinary skill would have even recognized the need to remove particulate from a refrigerant, much less consider a solution involving a 3-foot to 10-foot diameter coil of 6-inch pipe. Accordingly, Matsuda and Corner cannot be a proper basis for rejection under § 103. Applicants request reconsideration and withdrawal of this rejection, and

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allowance of claim 9.

Accordingly, this application is now fully in condition for allowance and a notice to that effect is respectfully requested. The PTO is hereby authorized to charge/credit any fee deficiencies or overpayments to Deposit Account No. 19-4293 (Order No. 28951.5039 D6). If further amendments would place this application in even better condition for issue, the Examiner is invited to call applicants' undersigned attorney at the number listed below.

Respectfully submitted,

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